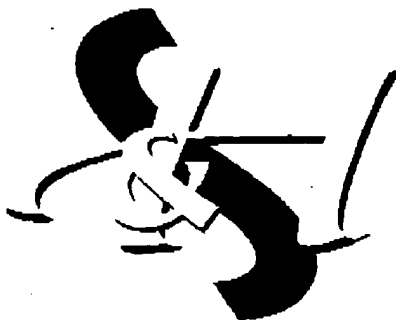


JUL 06 2004



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|--------|--------------------------------|---------|------------------------|
| To: | U.S. Patent & Trademark Office | From: | Ronald E. Smith |
| Attn: | Samuel Broda - Art Unit 2123 | Client: | 1249.02 |
| Fax: | (703) 746-7239 | Pages: | 3 including coversheet |
| Phone: | (703) 305-1026 | Date: | July 6, 2004 |
| Re: | USPN 09/606,868 | CC: | Aki Tsuji et al. |

☐ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Dear Examiner Broda:

In response to the non-final office action mailed January 8, 2004, we enclose the following:

- 1) Petition for Extension of Time (37 C.F.R. 1.136(a)(3)) with Certificate of Facsimile Transmission under 37 C.F.R. 1.8(a) dated July 6, 2004 (2 pages); and
- 2) Credit Card Payment Form PTO-2038 in the amount of \$475.00 (1 page).

Very respectfully,

Ronald E. Smith
Reg. No. 28,761RECEIVED
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OIPE/JCMS

The documentation accompanying this transmission contains information from the Law Office of Smith & Hopen, P.A., which is confidential and/or privileged. The information is intended only for the use of the individual or entity named on this sheet. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance upon the contents of this telecopied information is strictly prohibited. If you have received this transmission in error, please notify us by telephone immediately, so that we can arrange for the return of the original documents to us at no cost to you.

Practitioner's Docket N .: 1249.02

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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JUL 06 2004

In re application of: Aki Tsuji et al.)
Application No.: 09/606,868) Art Unit.: 2123
Filed: 06/29/2000) Examiner: Samuel Broda
For: Systems and Method for Determining) Confirmation No.: 6988
Performance Metrics for Constructing)
Information Systems)

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Faxed to Technology Center 2100 at (703)746-7239
Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION AND FEE FOR EXTENSION OF TIME (37 C.F.R. 1.136(a)(3))

1. This is a petition for an extension of the time for a total period of three months to July 8, 2004.
2. Applicant is a small entity.
3. Calculation of extension fee (37 C.F.R. 1.17(a)(1)-(5)):

Extension:
three months

Fee for small entity:
\$475.00

Fee \$475.00

If an additional extension of time is required, please consider this a petition therefor.

(Petition and Fee for Extension of Time (37 C.F.R. 1.136(a))—page 1 of 2)

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

deposited with the United States Postal Service
with sufficient postage as first class mail in an
envelope addressed: Mail Stop Amendment,
Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450.

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X
transmitted by facsimile to the Patent and
Trademark Office, Art Unit 2123, Attn: Samuel
Broda at (703) 746-7239.

Date: July 6, 2004

Deborah Preza

Signature

07/07/2004 TTRAN1 00000013 09606868

01 FC:2253

475.00 OP

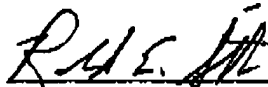
Extension fee due with this request \$ 475.00

5. Extended period for response three months.

Based on the extension requested in this petition (and that for which a previous petition has been filed, if any), the extended period for response will expire on July 8, 2004.

6. Fee Payment

Attached is Credit Card Payment Form PTO-2038 in the sum of \$ 475.00



SIGNATURE OF PRACTITIONER

Reg. No.: 28,761
Tel. No.: (727) 507-8558

Ronald E. Smith
Smith & Hopen
15950 Bay Vista Drive
Suite 220
Clearwater, FL 33760

(Petition and Fee for Extension of Time (37 C.F.R. 1.136(a))—page 2 of 2)